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BOARD OF SELECTMEN MEETING MINUTES

July 1, 2008

The Board of Selectmen met in the Town Hall as scheduled with Thomas A. Alonzo, Paula Bertram, Steven M. deBettencourt, Thomas J. Mason, David J. Matthews and Kerry A. Speidel, CAFO present. Regular Meeting opened at 7:00 PM.

PUBLIC COMMENT

Mr. & Mrs. Mulholland of 2 Leominster Road came before the Board concerned about the removal of the shrubbery and trees at the old Ritter Library. They were told that the shrubs were being removed because of the mold problem, but the Mulholland's felt that by trimming the trees and pruning the shrubs that would have alleviated the outside problem. They also feel that the mold problem was exacerbated by the frozen pipes over the winter. As far as the gutters are concerned they could be cleaned or new gutters installed that have covers.

Tom recognized two Boy Scouts in the audience, Michael Donahue and Scott Tanner, who are working towards their civic badge.

ANNOUNCEMENTS

- First band concert of the season was held last night and was sponsored by Lions Club. The musicians were great and the Lions Club served hot dogs & hamburgers as well as holding a 50/50 raffle.
- Resurrection of the Bonfire is to be held in front of Elementary and High School at 10:00 PM, fair begins at 5:00 PM and continues until the bonfire at 10:00 PM.

APPOINTMENTS

1. 7:15 PM – Public Hearing/Chapter 61B Property, 460 Howard Street-Right of First Refusal – Harald Schied and Ernie Sund were present from the Board of Assessors. Harald said the current assessed value of the property is \$108,000; the true full value is \$432,800. O'Brien Homes out of Andover signed a purchase and sales agreement for \$575,000 but the purchase did not go through because not all the property had been removed from Chapter 61B. Both the Conservation Commission and Planning Board notified the Selectmen that they felt the property was a valuable piece for the Town to purchase. After some discussion the Board felt that this property was important as it would give access to the 253 acres of Conservation land in back. They're hoping to exhaust all resources in order to obtain funding before the 120 days are up on September 2nd.

CURRENT BUSINESS

1. CAFO Updates – Kerry presented the following updates to the Board:

- Meadow Woods: the Pre-Construction Conference was held on Thursday, June 26, 2008 with the Earth Tech, Inc., Project Engineer and DeFelice Corporation, Contractor. Also present were representatives from the Conservation Commission, Department of Public Works, Fire Department, Police Department, and USRDA. The Notice to Proceed has been issued. The Contractor intends to begin construction on July 21, 2008. The Contractor has 120 days to complete the work on Route 2A. The water and sewer lines will be running down opposite sides of the street. Route 2A will remain open throughout the construction. Earth Tech will have a resident inspector on-site each day construction is occurring.
- Ritter Library Re-Use: the DPW began removing some shrubbery surrounding the building which was dead, dying and/or causing damage to the building, either preventing access to gutters or hindering proper ventilation which has exacerbated the mold problem in the building.
- The Industrial Hygienist has completed his report on the mold. A scope of work was prepared based upon the report. Three- (3) quotes were solicited, with the apparent, lowest responsible bidder being Economic Enviro Techs, Inc. at \$19,500. We are in the process of contacting references and viewing their current project (Westminster Library). If all goes well, the contract will be awarded next week.

and the work should be completed on or about August 10, 2008. No other work can be done in the building until the mold remediation work has been completed. Within the next 2 weeks, will have a tentative schedule for the renovation work.

- Primary School Re-Use: will prepare a draft Request for Proposals for your review sometime later this month. I have met with several different parties who are interested in the building for either Community Arts space or residential units. I believe there is potential for a creative solution which would allow for both uses.
- Union Negotiations: negotiations with the 3 unions whose contracts expired June 30, 2008 are ongoing. There is nothing new to report at this time.
- Solid Waste Contract: the contract has been finalized and is available for review and signature. As of today, all recycling can be co-mingled. The vendor has provided stickers free-of-charge to be placed on barrels up to 32 gallons.
- Title I Funds: the increase in funding is due to an increase in the number of students who qualify for free and reduced lunches. There is a general feeling that people who may have been eligible in the past, may not have applied, but are now finding it necessary to apply due to the economy.

2. **Minutes** - none

Warrants — W# 60 08 (06/27/08) \$526,654.19 signed

Contract – contract for Waste Management was unanimously approved and signed.

3. **Action File Issues** – update needed from Comcast Cable regarding cable on Longwood Drive.

4. **One Day Liquor License/N. Leominster Rod & Gun Club**, 1501 Lancaster Ave. – Annual Member's Outing on 07/13/08 from noon – 6:00 PM – approximately 150 in attendance; unanimously approved and signed.

5. **Alliance Energy, LLC Common Victualer License Change**, 131 Mass Avenue - Alliance Energy purchased the assets and operation of Peterborough Oil Co., Inc.'s Mr. Mike's location. Common Victualer License unanimously approved and signed.

6. **Summer Schedule** – Board unanimously agreed to meet the 1st and 3rd Tuesday of the month for their televised Selectmen's Meeting until September. They will meet, as needed, for a workshop on the 2nd Tuesday of the month to discuss the CAFO's goals.

OLD BUSINESS

1. **Committee Updates**

Paula gave the following updates:

Cell Towers: two continuations of the public hearing for placement of antennas on cell towers on Electric Avenue & Chase Road. Made minor modifications to current policies on cell towers

- Several residents had expressed concerns about possible health effects.
- Chairman read an excerpt from a ruling by the US Court of Appeals stating that the Planning Board is prohibited from denying a permit due to health effects; potential health effects are not within the jurisdiction of the Planning Board; towers are controlled by the FCC
- Chairman distributed information on how to contact the FCC
- The Tower and associated antenna must comply with FCC Regulations; annual certification is a condition of the permit
- Following close of public hearing Board voted to approve both requests

CVS - have not received formal application however Planning Board has been advised that they are putting together a sewer clearance plan

Tri-Town - going ahead with project in a phased approach, planning to construct 1/3 of the project, or 66 units

43D - Marion provided Board with some background on 43D, will be discussing further at a future meeting at some point may want to schedule a joint meeting with Board of Selectmen (Governing Body)

Paula noted that at the last Sewer Commission meeting of June 24th the Commissioners set the final betterment at \$11,551.47 and a rate of 2.95% over a twenty year period. This final betterment is the total betterment which includes the \$5000.00 per unit which was originally billed.

APPOINTMENT

1. **Assistant Town Clerk/ Miriam Starrett** – Board unanimously ratified CAFO Kerry Speidel and Town Clerk Kathryn Herrick's appointment of Miriam Starrett as Assistant Town Clerk.

Retirement/Jeanne DeBruin, Director Council on Aging - Kerry read a letter from Jeanne stating that she will be retiring effective September 30th after 17 years of service to the town. The Board expressed their appreciation to Jeanne for her exceptional work at the center and her dedication to the elderly.

Legal Counsel – motion was made and seconded to approve the appointment of Kopelman & Paige as legal counsel for the Town.

EXECUTIVE SESSION

None

Being no further business the Board voted unanimously to adjourn Regular Session at 8:20 PM.

Respectfully submitted,

Linda H. Douglas, Administrative Assistant
Board of Selectmen